

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 v. ) Criminal No. 14-00226-01-CR-W-DGK  
 )  
 MARCUS MCINTOSH, )  
 )  
 Defendant. )

**PENDING CHARGE:** On August 26, 2014, the Grand Jury returned a thirteen count indictment against Marcus McIntosh, Tyrone Campbell, Jr. and Tyronn Campbell. Count 1 alleges defendants knowingly combined and conspired to distribute a mixture or substance containing cocaine base, crack cocaine. Counts 5, 7 and 10 allege defendant McIntosh knowingly distributed some quantity of a mixture or substance containing cocaine base, crack cocaine. Count 11 alleges defendant McIntosh knowingly possessed, with the intent to distribute, a mixture or substance containing cocaine base, crack cocaine, in an amount of twenty-eight (28) grams or more. Count 12 charges that defendant McIntosh, in furtherance of the drug-trafficking crimes alleged in Counts 1 and Count 11, knowingly possessed firearms. Count 13 alleges that the defendant, having been convicted of a felony, knowingly possessed, in and affecting commerce, firearms.

Government: Brent Venneman/Adam Caine  
Case Agent: Detective Don Stanza of the Kansas City Police Department  
Defense: Carie Allen and an investigator with her office

Government: 12 with stipulations;  
Defendant: The defense has endorsed all of the government's witnesses and listed one additional witness. It is also possible defendant might testify.

**TRIAL EXHIBITS**

Government: 115 exhibits

Defendant: 48 exhibits, but most of these exhibits are reports which would be used for cross-examination, but not offered into evidence.

**DEFENSES:** General Denial

**POSSIBLE DISPOSITION:**

(X ) Definitely for trial; ( ) Possibly for trial; ( ) Likely a plea will be worked out

**TRIAL TIME: 2- 2 ½ days**

Government's case including jury selection: 2- 2 ½ days

Defense case: no additional time beyond the government's estimate

**STIPULATIONS:** Signed stipulations have been entered into between the parties.

**UNUSUAL QUESTIONS OF LAW:** None

**FILING DEADLINES:**

**Witness and Exhibit List**

Government: Friday before the pretrial conference

Defense: Friday before the pretrial conference

**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, November 25, 2015**

**Please Note:** Jury instructions must comply with Local Rule 51.1

**Motion in Limine:** Given the parties' discussion at the pretrial conference, it appears that motions in limine will not be necessary.

**TRIAL SETTING:** Criminal jury trial docket set for November 30, 2015

**Please note:** Defense counsel prefers the second week of the docket. If the case is set the first week of the docket, Ms. Allen needs to recess on Tuesday afternoon by around 3:30p.m., and if the case were not concluded by Thursday she would need to recess early that day as well. Other than this issue, the case could be tried either week.

**IT IS SO ORDERED.**

*/s/ Sarah W. Hays*

SARAH W. HAYS

UNITED STATES MAGISTRATE JUDGE